UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *the amendment on November 21, 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *1-65* is/are pending in the application.

    5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-65* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7-14, 16-25, 27-33, 35-40, and 42-65 are rejected under 35 U.S.C.

103(a) as being unpatentable over Himmel (US 6,041,360) in view of Strentzsch et al. –

hereinafter Strentzsch (US 6,256,671)

As per claim 1, Himmel discloses a method comprising:

searching files in a memory of a customer premises equipment to identify the

frequently accessed domain names; and((Col 6 lines 19-28; Each bookmark entry is

comprised of a URL to a favorite page and an associated descriptive text string which

describes the web page in such a way to be easily recognized by the user, Col 18 lines

17-30; Fig. 13, Fig. 1: items 49-51)

providing the frequently accessed domain names identified, responsive to the

searching, to the a communication interface (Col 4 lines 43-53; Col 18 lines 19-32Fig. 1:

item 40) in a form addressed for delivery to a network gateway   (Col 5 line 66-Col 6

line 16; or "Uniform Resource Locator" is defined in RFC 1945, which is incorporated

herein by reference. As is well known, the URL is typically of the format:

http://somehost/somedirectory?parameters . . . " where "somehost" is the hostname

position of the URL, "somedirectory" is a directory in which the web page may be found.)

wherein the files in the memory comprise application data files that hold frequently accessed domain names. (Col 18 lines 17-30; Figure 1: items 49-51)

Himmel fails to disclose the communication interface transmitting the frequently accessed domain names for transmission to the network gateway configured to cache the frequently accessed domain names in a domain name system cache over a communication path.

Strentzsch discloses the communication interface transmitting the frequently accessed domain names for transmission to the network gateway configured to cache the frequently accessed domain names in a domain name system cache over a communication path (Col 5 line 55 – Col 6 line 36)

At the time of invention, it would have been obvious for the network of Himmel to incorporate a DNS proxy, which caches mapping for address to identifiers as taught by Strentzsch. The combination of prior art elements would have yielded nothing more than predictable results of reducing network traffic to the DNS server and a reduction of resolution time to the requesting clients.

As per claim 2, Himmel / Strentzsch disclose the method of claim 1. Himmel discloses wherein the customer premises equipment runs an operating system, and wherein the searching and the providing are initiated during start-up of the operating system. (Col 4 line 54 – Col 5 line 6)

As per claim 3, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the customer premises equipment runs an operating system, and wherein the searching and the providing are initiated periodically by the operating system. (Col 4 line 54 – Col 5 line 6)

As per claim 4, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the searching and the providing occur in response to the execution of an application by a user of the customer premises equipment. (Col 5 lines 7-12)

As per claim 5, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the searching comprises searching application data files associated with a Web browser application. (Col 9 lines 43-60)

As per claim 7, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the providing comprises packetizing the frequently accessed domain names and providing the packetized information to the communication interface. (Col 1 lines 41-53)

As per claim 8, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the providing comprises storing the frequently accessed domain names in a management information base and providing the management information

base to the communication interface. (Col 10 lines 10-15; Figure 6A)

As per claims 9, Himmel / Strentzsch disclose the method of claim 1, and Himmel discloses wherein the providing comprises generating a domain name system query that includes the frequently accessed domain name and providing the domain name system query to the communication interface. (Col 18 lines 17-30; Figure 13)

As per claim 10, Himmel discloses a method for selectively caching domain name system information on a network gateway that includes a cache, wherein the network gateway is attached to a customer premises equipment that includes a memory, comprising the steps of:

searching files in the memory to identify a frequently accessed domain name; (Col 6 lines 19-28; Each bookmark entry is comprised of a URL to a favorite page and an associated descriptive text string which describes the web page in such a way to be easily recognized by the user; Col 18 lines 17-30; Fig. 13, Fig. 1: items 49-51)

wherein the files in the memory comprise application data files that hold frequently accessed domain names. (Col 18 lines 17-30; Figure 1: items 49-51)

Himmel fails to disclose (b) providing the frequently accessed domain name from the customer premises equipment to the network gateway; (c) generating, in the gateway, a domain name system query that includes the frequently accessed domain name; (d) transmitting the domain name system query from the network gateway to a network for resolution; (e) receiving, in the gateway, a response to the domain name

system query from the network that includes the frequently accessed domain name and

a corresponding IP address; and (f) storing the frequently accessed domain name and

the corresponding IP address in the cache;

Strentzsch discloses (b) providing the frequently accessed domain name from

the customer premises equipment to the network gateway; (Col 5 line 54-Col 6 line 19)

(c) generating, in the gateway, a domain name system query that includes the

frequently accessed domain name; (Col 6 lines 38-56)

(d) transmitting the domain name system query from the network gateway to a

network for resolution; (Col 6 lines 38-56)

(e) receiving, in the gateway, a response to the domain name system query from

the network that includes the frequently accessed domain name and a corresponding IP

address; and (Col 6 lines 38-56)

(f) storing the frequently accessed domain name and the corresponding IP

address in the cache. (Col 5 lines 54- Col 6 line 10)

As per claim 11, please see the discussion under claim 2 as similar logic applies.

As per claim 12, please see the discussion under claim 3 as similar logic applies.

As per claim 13, please see the discussion under claim 4 as similar logic applies.

As per claims 14, 25, 33 and 40, please see the discussion under claim 5 as

similar logic applies.

As per claims 16, 27, 35 and 42, please see the discussion under claim 7 as similar logic applies.

As per claims 17, 28, 36 and 43, please see the discussion under claim 8 as similar logic applies.

As per claims 18, 29, 37, and 44, please see the discussion under claim 9 as similar logic applies.

As per claim 19, Himmel / Strentzsch disclose the method of claim 10, Strentzsch discloses wherein the generating comprises generating a domain name system query in accordance with an iterative resolution protocol. (Col 6 lines 38-56)

As per claim 20, Himmel / Strentzsch disclose the system of claim 10. Strentzsch discloses further comprising:

receiving, in the network gateway, a domain name system query from the customer premises equipment; and (Col 5 line 54-Col 6 line 19)

resolving, in the network gateway, the domain name system query from the customer premises equipment using a domain name and corresponding IP address stored in the cache. (Col 6 lines 38-56)

As per claim 21, please see the discussion under claim 10 as similar logic applies.

As per claim 22, Himmel discloses a customer premises equipment comprising:

a memory configured to store files; (Fig. 1: item 24)

comprising application data files that hold frequently accessed domain names; (Col 6 lines 19-28; Each bookmark entry is comprised of a URL to a favorite page and an associated descriptive text string which describes the web page in such a way to be easily recognized by the user, Figure 1 :items 49-51)

a communication interface configured to transmit the frequently accessed domain names identified, responsive to the searching(Fig. 1: items 12, 13)in a form addressed for delivery to a network gateway. (Col 5 line 66-Col 6 line 16; or "Uniform Resource Locator" is defined in RFC 1945, which is incorporated herein by reference. As is well known, the URL is typically of the format: http://somehost/somedirectory?parameters . . . " where "somehost" is the hostname position of the URL, "somedirectory" is a directory in which the web page may be found.)

a processor coupled to the memory and the communication interface; (Fig. 1: item 22)

and configured to search the application data files to identify frequently accessed domain names(Col 6 lines 19-28; Each bookmark entry is comprised of a URL to a favorite page and an associated descriptive text string which describes the web page in such a way to be easily recognized by the user, Col 18 lines 17-30; Fig. 13, Fig. 1: items

49-51) and to provide the frequently accessed domain names to the communication

interface (Col 18 lines 17-30; Fig. 1: item 40)

Himmel fails to disclose to transmit the frequently accessed domain names to the

network gateway configured to cache the frequently accessed domain names in a

domain name system cache;

Strentzsch discloses to transmit the frequently accessed domain names to the

network gateway configured to cache the frequently accessed domain names in a

domain name system cache. (Col 5 line 54 - Col 6 line 19)

At the time of invention, it would have been obvious for the network of Himmel to

incorporate a DNS proxy, which caches mapping for address to identifiers as taught by

Strentzsch. The combination of prior art elements would have yielded nothing more

than predictable results of reducing network traffic to the DNS server and a reduction of

resolution time to the requesting clients.

As per claim 23, Himmel / Strentzsch disclose the customer premises equipment

of claim 22, and Himmel discloses wherein the memory comprises a hard disk drive.

(Col 4 lines 54-Col 4 line 65)

As per claim 24, Himmel / Strentzsch disclose the customer premises equipment

of claim 22, and Himmel discloses wherein the communication interface is a home

phoneline network interface, an Ethernet interface or a Universal Serial Bus interface.

(Col 4 lines 54-65)

As per claim 30, Himmel discloses a system for selectively caching domain name

system information in a network gateway, comprising:

a customer premises equipment (CPE) including a memory that stores files, (Fig.

1: item 24) a communication interface for transmitting information over a

communication path, (Fig. 1: items 12, 13)

and a CPE processor coupled to the memory and the communication interface,

(Fig. 1 : item 22)

wherein the CPE processor is configured to search the files to identify a

frequently accessed domain name and to provide the frequently accessed domain

name identified, responsive to the searching, to the communication interface for

transmission over the communication path; and (Col 6 lines 19-28; Each bookmark

entry is comprised of a URL to a favorite page and an associated descriptive text string

which describes the web page in such a way to be easily recognized by the user; Col 18

lines 17-30; Fig. 13)

wherein the files in the memory comprise application data files that hold

frequently accessed domain names. (Col 18 lines 17-30; Figure 13)

Himmell fails to disclose a network gateway including a cache, a CPE interface for receiving information over the communication path, a network interface for transmitting information over a network, and a gateway processor coupled to the cache, the CPE interface, and the network interface, the gateway processor configured to receive the frequently accessed domain name from the communication path via the CPE interface, to generate a domain name system query that includes the frequently accessed domain name, to provide the query to the network interface for transmission to a network for resolution, to receive a response to the query from the network via the network interface that includes the frequently accessed domain name and a corresponding IP address, and to store the frequently accessed domain name and the corresponding IP address in the cache.

Strentzsch discloses a network gateway including a cache, (Col 5 line 54-Col 6 line 10)

a CPE interface for receiving information over the communication path, (Col 5 lines 38-53, Col 6 lines 11-19)

a network interface for transmitting information over a network, and (Col 5 lines 38-53_

a gateway processor coupled to the cache, the CPE interface, and the network interface, (Col 5 line 54-Col 6 line 10)

the gateway processor configured to receive the frequently accessed domain name from the communication path via the CPE interface, (Col 5 lines 11-19)

to generate a domain name system query that includes the frequently accessed

domain name, to provide the query to the network interface for transmission to a

network for resolution, to receive a response to the query from the network via the

network interface that includes the frequently accessed domain name and a

corresponding IP address, (Col 6 lines 19-56)

and to store the frequently accessed domain name and the corresponding IP

address in the cache.(Col 5 lines 54-Col 6 line 10)

At the time of invention, it would have been obvious for the network of Himmel to

incorporate a DNS proxy, which caches mapping for address to identifiers as taught by

Strentzsch. The combination of prior art elements would have yielded nothing more

than predictable results of reducing network traffic to the DNS server and a reduction of

resolution time to the requesting clients.

As per claim 31, please see the discussion under claim 23 as similar logic

applies.

As per claim 32, please see the discussion under claim 24 as similar logic

applies.

As per claim 38, please see the discussion under claim 19 as similar logic

applies.

As per claim 39, please see the discussion under claim 1 as similar logic applies.

As per claim 45, Himmel / Strentzsch disclose the method of claim 1, wherein the customer premises equipment comprises a personal computer. (Col 3 line 64-Col 4 line 11)

As per claims 46-50, please see the discussion under claim 45 as similar logic applies.

As per claims 51-53, please see the discussion under claim 10 as similar logic applies.

As per claims 54-56, please see the discussion under claim 30 as similar logic applies.

As per claim 57, Himmell / Strentzsch disclose the method of claim 1. Himmell discloses wherein providing the frequently accessed domain name in a form address for delivery to the network gateway comprises providing the frequently accessed domain names in a cache message format of the network gateway(Col 5 line 56-Col 6 line 16; As is well known, the URL is typically of the format: http://somehost/somedirectory?parameters . . . " where "somehost" is the hostname

position of the URL, "somedirectory" is a directory in which the web page may be found

… <u>The process of having a Web client request a hostname and address from a

nameserver is sometimes called resolution. In TCP/IP, the nameserver resolves the

hostname into a list of one or more IP addresses which are returned to the Web client

on an HTTP request</u>. – Examiner equates above format as a cache message format)

As per claims 58-64, please see the discussion under claim 57 as similar logic

applies.

As per claim 65, Himmell / Strentzsch disclose the method of claim 10. Himmell

discloses wherein providing the frequently accessed domain name comprises providing

a plurality of frequently accessed domain names in a single transaction. (Col 5 line 56-

Col 6 line 16; In TCP/IP, the nameserver resolves the hostname into a list of <u>one or

more IP addresses</u> which are returned to the Web client on an HTTP request)

Claims 6, 15, 26, 34 and 41 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Himmel (US 6,041,360) / Strentzsch et al. – hereinafter Strentzsch

(US 6,256,671) further in view of Gardos et al. – hereinafter Gardos (US 6,745,248)

As per claim 6, Himmel / Strentzsch disclose the method of claim 1. Himmel fails

to disclose wherein the searching comprises searching application data files associated

with an electronic mail application. Gardos discloses searching application data files

associated with an electronic mail application (Col 2 lines 23-33, Col 3 lines 8-30) At

the time of invention, it would have been obvious for the network of Himmel which

incorporates a DNS proxy by caches mapping for address to identifiers as taught by

Strentzsch to search for application data files associated with an electronic mail

application as taught by Gardos. The combination of the prior art elements would have

yielded nothing more than predictable results of keeping track and efficiently finding all

domain names registered to the company and to determine what name servers are

used for those domain names. (Col 3 lines 42-58)

At the time of invention, it would have been obvious for the network of Himmel to

incorporate a DNS proxy, which caches mapping for address to identifiers as taught by

Strentzsch. The combination of prior art elements would have yielded nothing more

than predictable results of reducing network traffic to the DNS server and a reduction of

resolution time to the requesting clients.

As per claims 15, 26, 34, and 41, please see the discussion under claim 6 as

similar logic applies.

Response to Arguments

Applicant's arguments filed November 21, 2011 have been fully considered but

they are not persuasive.

Examiner has removed the objections.

Applicants argue that the cited references fails to disclose "providing the frequently accessed domain names identified, responsive to the searching, to a communication interface in a cache message format of a network gateway" Applicants then argue that the "CPE search application actively searches for and identifies the frequently accessed domain names" and thus fails to disclose that the frequently access domain names that was identified is "responsive to the searching"

Examiner argue that claim limitations are broad enough for the user or human to perform the searching and identification step as claimed, "searching files in a memory of a customer premises equipment to identify the frequently accessed domain names" prior to the providing step in the claim limitations.

Applicants argue that claims 6, 15, 26, 34 and 41 are not obvious for reasons discussed above.

Please see the above discussion.

Applicants argue newly that the cited reference fail to teach the newly added claims 57-65.

Please see the body of the rejections for a discussion.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Li (US 6,725,227) is directed to an advanced web bookmark

database system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chirag R Patel whose telephone number is (571)272-

7966. The examiner can normally be reached on Monday to Friday from 8:00AM to

4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Joseph E. Avellino, can be reached on 571-272-3905.

The fax phone number for the organization where this application or proceeding

is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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Private PAIR only. For more information about the PAIR system, see

http://pairdirect.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll free).

/Chirag R Patel/
Primary Examiner, Art Unit 2454